

Appl. No. 10/523,317
Response to Office Action mailed November 28, 2006

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Atty Dkt. No. 114216-019

FEB 28 2007
REMARKS

The final Office Action was issued on pending claims 1 and 3-10. Claims 1 and 3-10 were rejected. In this Response, claim 1 has been amended, claims 5 and 6 have been cancelled and no claims have been added. Thus, claims 1, 3, 4 and 7-10 are pending in the application.

Applicants invite the Examiner to call Applicants' Representative to discuss any issues with this application.

Claim Rejections – 35 USC §112

In the Office Action at pages 2 and 3, claims 1 and 3-10 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Office Action refers to the last two paragraphs of claim 1.

In response, claim 1 has been amended to clarify the claim. The last two paragraphs of claim 1 have been amended to remove the alternative language. Specifically, claim 1 has been amended to recite:

"crimping parts are formed on an inner periphery of the opening at specified positions with a prespecified space therebetween in the circumferential direction so as to crimp into an outer peripheral surface of the shaft, and

the crimping parts are a plurality of convex parts formed at prespecified positions with a prespecified space therebetween along the inner periphery of the opening."

Therefore, Applicants submit claim 1 is clear and definite and the §112, second paragraph, rejections should be withdrawn.

In the Office Action at pages 3 and 4, claims 4-6 were rejected under 35 U.S.C. §112, second paragraph, as failing to comply with the written description requirement.

As to claim 4, claim 1 has been amended to delete the reference to the "polygonal shape" for the opening. Therefore, the "convex parts" recited in claim 4 does not pertain to the "polygonal shape" of the opening because the "polygonal shape" has been deleted from claim 1.

As to claims 5 and 6, claims 5 and 6 have been cancelled without prejudice.

Thus, Applicants submit the §112, second paragraph, rejections should be withdrawn.

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Drawings

At pages 4 and 5 of the Office Action, the drawings were objected to under 37 CFR 1.83(a) as not showing every feature of the invention specified in the claims. The Office Action refers to the "convex parts" in claim 4 and the "polygonal shape" of the opening in claim 1.

As discussed above in response to the §112, second paragraph, rejections, claim 1 has been amended to clarify the claim by removing the "polygonal shape" for the opening. Fig. 3 shows the opening 17 having crimping parts 18 along the inner periphery of the opening 17. The crimping parts 18 are convex parts 19. Therefore, Applicants submit all of the features of claim 4 are shown in the drawings.

As to claims 5 and 6, claims 5 and 6 have been cancelled without prejudice.

Thus, Applicants submit that the objections to the drawings should be withdrawn.

Claim Rejections – 35 USC §103

In the Office Action at pages 5 and 6, claims 1, 3 and 6-10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Candotti (US 5,575,043) in view of Kanzaka (US 4,387,488). Applicants respectfully disagree.

Claim 1 has been amended to clarify the claim as discussed above. Amended claim 1 calls for "the crimping parts are a plurality of convex parts formed at prespecified positions with a prespecified space therebetween along the inner periphery of the opening." (Emphasis supplied). Claim 1 no longer includes the alternative language of the opening having a polygonal shape. The last paragraph of claim 1 now recites the same text as in originally filed claim 2 which was held to be allowable in the Office Action dated June 19, 2006.

Turning to Candotti, Candotti is discussed in the Background Art section of the specification of the present application. As discussed in Applicants' specification, the outer circumference of the shaft accommodation member of Candotti only contacts the inner periphery of the button outer shell when the fixture is inserted. See Applicants' specification at pages 2 and 3, particularly, page 2, lines 6-11. The button covering member may undesirably rotate relative to the accommodation member. The Candotti reference does not show, describe or suggest that the accommodation member and the outer shell are crimped together by the crimping parts being a plurality of convex parts formed at prespecified positions with a prespecified space therebetween along the inner periphery of the opening. Such features are

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claimed in Applicants' claim 1. Applicants' crimping parts can provide for the accommodation member and the outer shell to be mutually firmly engaged by being crimped together.

Kanzaka does not remedy the deficiencies of Candotti. Kanzaka pertains to a fabric-covered button having a button body 20 and a retainer washer 28. The retainer washer 28 has a square opening 34 which fits around a cylindrical central boss 22 of the button body 20 and the retainer washer 28 fits inside of an annular space 25 of the button body 20. See Figs. 1, 3, 6 and 7. The fabric-covered button also has a fastener 37 having a shank 39 which fits inside of the cylindrical boss 22 of the button body 20. Figs. 11 and 12 of Kanzaka have a retainer washer 61 which has radial tongues 66 which define a circular opening 67. However, the radial tongues 66 are part of the retainer washer 61 and are not provided on the button body 62. The Kanzaka retainer washers do not provide a suggestion or motivation to modify the Candotti bell-shaped part 12 to have crimping parts/convex parts as claimed in Applicants' claim 1. Kanzaka simply does not show, describe or suggest Applicants' claimed shell member having a button cover and a neck cylindrically formed on a back side of the button cover and having an opening at an outer edge thereof, wherein crimping parts formed on an inner periphery of the opening are a plurality of convex parts formed at prespecified positions with a prespecified space therebetween along the inner periphery of the opening. Accordingly, if Condotti and Kanzaka are combined, the combination does not result in Applicants' claimed invention.

Therefore, amended claim 1 is allowable. Dependent claims 3, 4 and 7-10 are also allowable at least for the same reasons that claim 1 is allowable.

Thus, Applicants submit that the §103 rejections should be withdrawn.

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CONCLUSION

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For the foregoing reasons, Applicants submit that the patent application is in condition for allowance and request a Notice of Allowance be issued.

Respectfully submitted,

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